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SERIES I No. 45

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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN
AND DIU

Special Department

Notification

OSO/RRVS/45/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the Recruitment to the Non-Gazetted, Non-Ministerial post of Assistant Superintendent of Jails under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called the Goa Government Assistant Superintendent of Jails, Recruitment Rules, 1967.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification to the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

(a) the maximum age limit specified in the Schedule in respect of direct recruitment

may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and

(b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

G. K. Bhanot

Chief Secretary

Panjim, 9th January, 1968.

SCHEDULE

| Name of the post | No. of posts | Classification | Scale of Pay | Whether Selection Post or non-Selection Post | Age for direct recruits | Educational and other qualification required for direct recruits | Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees | Period of probation, if any | Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods | In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made | If a DPC exists, what is its composition in making recruitment | Circumstances in which U. P. S. C. is to be consulted |
|-----------------------------------|--------------|---|---------------------------------|--|-------------------------|---|---|-----------------------------|---|---|--|---|
| | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| Assistant Superintendent of Jails | One | Class III (Non-Gazetted, Non-Ministerial) | Rs. 250-15-290-15-380-EB-15-470 | Selection | Below 30 years | Graduate of any recognised University preferably with diploma in social Welfare or Sociology or Criminology as a Course of study. 2. Physical Standard, Height 5' - 6" Chest Measurements 33" - 35" (Relaxable). 3. N. C. C. 'B' - Certificate. | N. A. | Two years | Direct Recruitment /Deputation/Transfer. | Deputation/Transfer: Suitable Official holding analogous post under Central/State Government (Period of deputation ordinarily not exceeding three years). | N. A. | As required under the rules. |

Notification

OSD/RRVS/49/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the Non-Gazetted Ministerial posts of Superintendents in all Departments outside the Secretariat under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called the Goa Government posts of Superintendents (outside Secretariat) Recruitment Rules, 1967.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

G. K. Bhanot
Chief Secretary

Panjim, 9th January, 1968.

SCHEDULE

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
|------------------|--------------|---------------------------------------|------------------------|--|-------------------------|--|---|-----------------------------|--|--|---|----|
| Name of the post | No. of posts | Classification | Scale of Pay | Whether Selection Post or non-Selection Post | Age for direct recruits | Educational and other qualification required for direct recruits | Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees | Period of probation, if any | Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods | In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made | If a DPC exists, what is to be considered in its composition making recruitment | |
| Superintendent. | 58 | Class III (Non-Gazetted Ministerial). | Rs. 350-20-450-25-475. | Selection. | N. A. | N. A. | N. A. | Two years | Promotion falling which Transfer/Deputation. | Promotion: Head Clerks of all Departments in the Administration of Goa, Daman and Diu with at least 3 years experience as such. Transfer / Deputation: Suitable official holding analogous post under Central/State Government (Period of deputation ordinarily not exceeding 3 years). | Class As required under the rules. | |

Notification

OSD/RRVS/50/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter no. F.7(11)/62-Goa dated the 25th July 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to the recruitment to the Non-Gazetted Ministerial posts of Civil Registrar-cum-Sub Registrar in the Registration Department under the Government of Goa, Daman and Diu.

1. **Short title.**— These rules may be called The Goa Government Civil Registrar-cum-Sub Registrar posts Recruitment Rules, 1967.

2. **Application.**— These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.**— The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time; and
- no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

G. K. Bhanot
Chief Secretary

Panjim, 9th January, 1968.

SCHEDULE

| Name of the post | No. of posts | Classification | Scale of Pay | Whether Selection Post or non-Selection Post. | Age for direct recruits | Educational and other qualification required for direct recruits | Whether age and educational qualifications prescribed for the direct recruitments will apply in the case of promotees | Period of probation, if any | Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods | In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer to be made | Circumstances in which U.P.S.C. is to be consulted in making recruitment | |
|------------------------------------|--------------|---------------------------------------|------------------------|---|--------------------------|--|---|-----------------------------|---|--|--|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| Civil Registrar-Cum-Sub-Registrar. | 12 | Class III (Ministerial Non-Gazetted). | Rs. 350-20-450-25-475. | Selection | Between 21 and 30 years. | Graduate from a recognised University, preferably in Law, or any other equivalent qualification. Knowledge of Marathi, of Konkani or Gujarati desirable. | No. | Yes | By promotion 33½% (falling which by direct recruitment) By direct recruitment 66⅔%. | Upper Division Clerks D.P.C. from Civil Registry, Sub-Registry, Office of the Registrars and Notary Services, District Registrar and Notary Public Officers with at least 5 years of experience in the grades. | As required under the rules. | |

Notification

The following notification from Government of India, Ministry of Home Affairs, is hereby republished for information.

D. V. Sawant, Deputy Secretary (Appointments).
Panaji, 27th January, 1968.

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

Notification

13/3/67-AIS(I) (8)

New Delhi-1, the 29th December, 1967
8 Pausa, 1889

G. S. R. — In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government hereby makes the following rules further to amend the Indian Administrative Service (Cadre) Rules, 1954,

1. (1) These rules may be called the Indian Administrative Service (Cadre) Amendment Rules, 1967.

(2) They shall come into force with effect from the 1st January, 1968.

2. In rule 2(c) of the Indian Administrative Service (Cadre) Rules, 1954, after the words "and includes a Union Territory" the words "and the North East Frontier Agency" shall be added.

A. N. BATABYAL
Under Secretary to the Govt. of India.

Notification

The following notification from Government of India, Ministry of Home Affairs, is hereby republished for information.

D. V. Sawant, Deputy Secretary (Appointments).
Panaji, 27th January, 1968.

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

Notification

13/4/67-AIS(I)-(3)

New Delhi-1, the 29th December, 1967
8 Pausa, 1889

G. S. R. — In exercise of the powers conferred by sub-section (1) of section 3 of the All-India Services Act 1951 (61 of 1951), the Central Government hereby makes the following rules further to amend the Indian Police Service (Pay) Rules, 1954, namely:

1. (1) These rules may be called the Indian Police Service (Pay) Amendment Rules, 1967.

(2) They shall come into force with effect from the 1st January, 1968.

2. In the Indian Police Service (Pay) Rules, 1954, for rule 10C, the following rule shall be substituted, namely:—

«10C. *Fixation of Pay and scales of pay of officers appointed to the Indian Police Service on initial constitution of Joint Cadre for Union territories:—*

Notwithstanding anything contained in these rules, in relation to the Union Territory, the pay of officers appointed to the Indian Police Service at the time of the initial constitution of the Joint Cadre shall be fixed in accordance with such principles as the Central Government may determine».

A. N. BATABYAL

Under Secretary to the Govt. of India.

Finance (Revenue) Department

Notification

Fin(Rev)/2-36/part/AR/226/68

In exercise of the powers conferred by section 36 of the Goa, Daman and Diu Sales Tax Act, 1964, and all other powers enabling it in that behalf, the Government of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Sales Tax Rules, 1964, namely:

1. (i) These Rules may be called the Goa, Daman and Diu Sales Tax (First Amendment) Rules 1968.
- (ii) They shall come into force at once.
2. After sub-rule (5) of Rule 15 of the Goa, Daman and Diu Sales Tax Rules 1964 the following sub-rule shall be inserted:

«(5A). (a) — Where a declaration in Form No. XI/XII is lost, the purchasing dealer shall furnish in respect of each such form so lost an indemnity bond to the authority from whom the said form was obtained for such sum as the said authority may, having regard to the circumstances of the case, fix and take such other steps to issue public notice of the loss, destruction or theft as the said authority may direct.

(b) — Any unused declaration forms XI/XII remaining in stock with a registered dealer on the cancellation of his registration certificate shall be surrendered to the authority from whom the said forms were obtained, within seven days of the date of communication to him of the order of cancellation».

By order and in the name of the Administrator of Goa, Daman and Diu.

N. Subramanian, Finance Secretary.

Panaji, 3rd February, 1968.

Law and Judicial Department

Notification

LD/N-2-64/67-68

The Official Languages (Amendment) Act, 1967 (1 of 1968), the Indian Tariff Amendment Act, 1967

(21 of 1967), the Appropriation (No. 4) Act, 1967 (33 of 1967), the Appropriation (No. 3) Act, 1967 (32 of 1967), the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), and the Essential Commodities (Second Amendment) Act, 1967 (36 of 1967) as assented to by the President of India are hereby reproduced below for general information.

M. S. Borker, Under Secretary.

Panaji, 27th January, 1968.

The Official Languages (Amendment) Act, 1967

(Act No. 1 of 1968)

AN

ACT

to amend the Official Languages Act, 1963.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Official Languages (Amendment) Act, 1967.

2. **Substitution of new section for section 3.**—For section 3 of the Official Languages Act, 1963 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

“3. **Continuance of English language for official purposes of the Union and for use in Parliament.**—(1) Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, the English language may, as from the appointed day, continue to be used, in addition to Hindi,—

(a) for all the official purposes of the Union for which it was being used immediately before that day; and

(b) for the transactions of business in Parliament:

Provided that the English language shall be used for purposes of communication between the Union and a State which has not adopted Hindi as its official language:

Provided further that where Hindi is used for purposes of communication between one State which has adopted Hindi as its official language and another State which has not adopted Hindi as its official language, such communication in Hindi shall be accompanied by a translation of the same in the English language:

Provided also that nothing in this sub-section shall be construed as preventing a State which has not adopted Hindi as its official language from using Hindi for purposes of communication with the Union or with a State which has adopted Hindi as its official language, or by agreement with any other State, and in such a case, it shall not be obligatory to use the English language for purpose of communication with that State.

(2) Notwithstanding anything contained in sub-section (1), where Hindi or the English language used for purposes of communication—

(i) between one Ministry or Department or office of the Central Government and another;

(ii) between one Ministry or Department or office of the Central Government and any corporation or company owned or controlled by the Central Government or any office thereof;

(iii) between any corporation or company owned or controlled by the Central Government or any office thereof and another,

a translation of such communication in the English language or, as the case may be, in Hindi shall also be provided till such date as the staff of the concerned Ministry, Department, office or corporation or company aforesaid have acquired a working knowledge of Hindi.

(3) Notwithstanding anything contained in sub-section (1), both Hindi and the English language shall be used for —

(i) resolutions, general orders, rules, notifications, administrative or other reports or press communiques issued or made by the Central Government or by a Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company;

(ii) administrative and other reports and official papers laid before a House or the Houses of Parliament;

(iii) contracts and agreements executed, and licences, permits, notices and forms of tender issued, by or on behalf of the Central Government or any Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company.

(4) Without prejudice to the provisions of sub-section (1) or sub-section (2) or sub-section (3), the Central Government may, by rules made under section 8, provide for the language or languages to be used for the official purpose of the Union, including the working of any Ministry, Department, section or office, and in making such rules, due consideration shall be given to the quick and efficient disposal of the official business and the interests of the general public and in particular, the rules so made shall ensure that persons serving in connection with the affairs of the Union and having proficiency either in Hindi or in the English language may function effectively and that they are not placed at disadvantage on the ground that they do not have proficiency in both the languages.

(5) The provisions of clause (a) of sub-section (1), and the provisions of sub-section (2), sub-section (3) and sub-section (4) shall remain in force until resolutions for the discontinuance of the use of the English language for the purposes mentioned therein have been passed by the Legislatures of all the States which have not adopted Hindi as their official language and until after considering the resolutions aforesaid, a resolution for such discontinuance has been passed by each House of Parliament."

3. Amendment of section 4. — To sub-section (4) of section 4 of the principal Act, the following proviso shall be added, namely: —

"Provided that the directions so issued shall not be inconsistent with the provisions of section 3."

The Indian Tariff (Amendment) Act, 1967

(Act No. 31 of 1967)

AN

ACT

further to amend the Indian Tariff Act, 1934

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows: —

1. Short title and commencement. — (1) This Act may be called the Indian Tariff (Amendment) Act, 1967.

(2) It shall come into force on the 1st day of January, 1968.

2. Amendment of First Schedule. — In the First Schedule to the Indian Tariff 32 of 1934 Act, 1934, in Items Nos. 28(35), 28(36), 28(37), 30(1) (b) (i), 30(1) (b) (ii), 30(15), 30(16), 75(9), 75(10), 75(11), 75(12) and 75(14), in the last column headed "Duration of protective rates of duty", for the figures "1967", wherever they occur, the figures "1968" shall be substituted.

The Appropriation (No. 4) Act, 1967

(Act No. 33 of 1967)

AN

ACT

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1965, in excess of the amounts granted for those services and for that year.

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows: —

1. Short title. — This Act may be called the Appropriation (No. 4) Act, 1967.

2. Issue of Rs. 15,83,93,865 out of the Consolidated Fund of India to meet certain excess expenditure for the year ended on the 31st March, 1965. — From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule amounting in the aggregate to the sum of fifteen crores, eighty-three lakhs, ninety-three thousand, eight hundred and sixty-five rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 1965, in excess of the amounts granted for those services and for that year.

3. Appropriation. — The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1965.

THE SCHEDULE
(See sections 2 and 3)

| No. of Vote | Services and purposes | Excess | | |
|-------------------|--|------------------|--------------------|--------------|
| | | Voted portion | Charged portion | Total |
| 1 | 2 | 3 | | |
| | | Rs. | Rs. | Rs. |
| 1 | Ministry of Community Development and Co-operation ... | 9,578 | ... | 9,578 |
| 5 | Defence Services — Effective — Navy ... | 79,09,518 | ... | 79,09,518 |
| 6 | Defence Services — Effective — Air Force ... | 1,44,70,570 | ... | 1,44,70,570 |
| 10 | Archaeology ... | 53,615 | ... | 53,615 |
| 12 | Botanical Survey ... | 33,606 | ... | 33,606 |
| 19 | Ministry of Finance ... | 1,09,447 | ... | 1,09,447 |
| 24 | Audit ... | ... | 18,470 | 18,470 |
| 35 | Pre-partition Payments ... | 70,397 | ... | 70,397 |
| 36 | Ministry of Food and Agriculture ... | 59,875 | ... | 59,875 |
| 37 | Agriculture ... | 38,86,675 | ... | 38,86,675 |
| 40 | Forest ... | ... | 5,283 | 5,283 |
| 42 | Ministry of Health ... | 78,701 | ... | 78,701 |
| 45 | Ministry of Home Affairs ... | 7,60,798 | ... | 7,60,798 |
| 55 | Laccadive, Minicoy and Amindivi Islands ... | 3,98,714 | ... | 3,98,714 |
| 57 | Ministry of Industry ... | 14,371 | ... | 14,371 |
| 62 | Broadcasting ... | 10,46,890 | 284 | 10,47,174 |
| 64 | Ministry of International Trade ... | 82,564 | ... | 82,564 |
| 67 | Ministry of Irrigation and Power ... | 57,952 | ... | 57,952 |
| 69 | Other Revenue Expenditure of the Ministry of Irrigation and Power ... | 19,05,440 | ... | 19,05,440 |
| 78 | Other Revenue Expenditure of the Ministry of Petroleum and Chemicals ... | 13,98,387 | ... | 13,98,387 |
| 80 | Geological Survey ... | 1,31,72,511 | ... | 1,31,72,511 |
| 85 | Communications (including National Highways) ... | 38,26,621 | 10,279 | 38,36,900 |
| 88 | Aviation ... | 44,23,609 | ... | 44,23,609 |
| 91 | Public Works ... | 1,13,41,023 | ... | 1,13,41,023 |
| 94 | Other Revenue Expenditure of the Ministry of Works, Housing and Rehabilitation ... | 89,736 | ... | 89,736 |
| 104 | Supplies and Disposals ... | ... | 70 | 70 |
| 106 | Department of Technical Development ... | 15,356 | ... | 15,356 |
| 112 | Capital Outlay of the Ministry of Community Development and Co-operation ... | 1,553 | ... | 1,553 |
| 114 | Capital Outlay of the Ministry of Education ... | 2,10,033 | ... | 2,10,033 |
| 120 | Commuted Value of Pensions ... | 1,13,686 | ... | 1,13,686 |
| 122 | Capital Outlay on Grants to State and Union territory Government for Development ... | 55,10,536 | ... | 55,10,536 |
| 124 | Capital Outlay on Forests ... | 7,543 | ... | 7,543 |
| 132 | Capital Outlay on Multi-purpose River Schemes ... | 6,13,35,461 | ... | 6,13,35,461 |
| 134 | Capital Outlay of the Ministry of Labour and Employment ... | 9,96,470 | ... | 9,96,470 |
| 135 | Capital Outlay of the Ministry of Petroleum and Chemicals ... | 48,221 | ... | 48,221 |
| 137 | Capital Outlay on Roads ... | 1,15,60,072 | ... | 1,15,60,072 |
| 138 | Capital Outlay on Ports ... | 19,16,908 | ... | 19,16,908 |
| 142 | Delhi Capital Outlay ... | ... | 10,75,121 | 10,75,121 |
| 145 | Capital Outlay on Posts and Telegraphs (not met from Revenue) ... | 1,03,67,921 | ... | 1,03,67,921 |
| | Total ... | 15,72,84,358 | 11,09,507 | 15,83,93,865 |

The Appropriation (No. 3) Act, 1967

(Act No. 32 of 1967)

AN
ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1967-68.

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. **Short title.**— This Act may be called the Appropriation (No. 3) Act, 1967.

2. **Issue of Rs. 31,07,13,000 out of the Consolidated Fund of India for the year 1967-68.**— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of thirtyone crores, seven lakhs and thirteen thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1967-68, in respect of the services specified in column 2 of the Schedule.

3. **Appropriation.**— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

| No. of Vote | Services and purposes | Sums not exceeding | | |
|-------------------|---|------------------------|--|---------------------|
| | | Voted by Parliament | Charged on the Consoli- dated Fund | Total |
| 1 | 2 | 3 | | |
| | | Rs. | Rs. | Rs. |
| 2 | Foreign Trade | 8,72,00,000 | ... | 8,72,00,000 |
| 8 | Defence Services — Non-effective | ... | 2,000 | 2,000 |
| 10 | Education | 1,000 | ... | 1,000 |
| 15 | External Affairs | 43,75,000 | ... | 43,75,000 |
| 16 | Other Revenue Expenditure of the Ministry of External Affairs | 1,000 | ... | 1,000 |
| 24 | Mint | ... | 14,000 | 14,000 |
| 50 | Chandigarh | 14,66,000 | ... | 14,66,000 |
| 55 | Other Revenue Expenditure of the Ministry of Home Affairs | 10,28,000 | ... | 10,28,000 |
| 71 | Broadcasting | 2,75,000 | ... | 2,75,000 |
| 69 | Expenditure on Displaced Persons | ... | 46,000 | 46,000 |
| 83 | Roads | ... | 1,000 | 1,000 |
| 86 | Other Revenue Expenditure of the Ministry of Transport and Shipping | 1,000 | ... | 1,000 |
| 109 | Secretariat of the Vice-President | 50,000 | ... | 50,000 |
| 111 | Defence Capital Outlay | ... | 35,86,000 | 35,86,000 |
| 120 | Loans and Advances by the Central Government | 20,00,00,000 | ... | 20,00,00,000 |
| 121 | Purchase of Foodgrains and Fertilizers | ... | 3,39,000 | 3,39,000 |
| 124 | Capital Outlay in Union territories and Tribal Areas | 15,97,000 | ... | 15,97,000 |
| 125 | Other Capital Outlay of the Ministry of Home Affairs | 35,00,000 | ... | 35,00,000 |
| 130 | Capital Outlay of the Ministry of Labour, Employment and Rehabili- tation | ... | 13,000 | 13,000 |
| 131 | Capital Outlay of the Ministry of Petroleum and Chemicals | 47,50,000 | ... | 47,50,000 |
| 137 | Other Capital Outlay of the Ministry of Transport and Shipping | 24,68,000 | ... | 24,68,000 |
| | Total | 30,67,12,000 | 40,01,000 | 30,67,13,000 |

The Unlawful Activities (Prevention) Act, 1967

(Act No. 37 of 1967)

AN

ACT

to provide for the more effective prevention of certain unlawful activities of individuals and associations and for matters connected therewith.

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. Short title and extent.— (1) This Act may be called the Unlawful Activities (Prevention) Act, 1967.

(2) It extends to the whole of India.

2. Definitions.— In this Act, unless the context otherwise requires,—

(a) «association» means any combination or body of individuals;

(b) «cession of a part of the territory of India» includes admission of the claim of any foreign country to any such part;

(c) «prescribed» means prescribed by rules made under this Act;

(d) «secession of a part of the territory of India from the Union» includes the assertion of any claim to determine whether such part will remain a part of the territory of India;

(e) «Tribunal» means the Tribunal constituted under Section 5),—

(f) «unlawful activity», in relation to an individual or association, means any action taken by such individual or association (whether by committing an act or by words, either spoken or written, or by signs or by visible representation or otherwise;

(i) which is intended; or supports any claim, to bring about, on any ground whatsoever, the cession of a part of the territory of India or the secession of a part of the territory of India from the Union, or which incites any individual or group of individuals to bring about such cession or secession;

(ii) which disclaims, questions, disrupts or is intended to disrupt the sovereignty and territorial integrity of India;

(g) «unlawful association» means any association which has for its object any unlawful activity, or which encourages or aids persons to undertake any unlawful activity, or of which the members undertake such activity.

CHAPTER II

Unlawful associations

3. Declaration of an association as unlawful.— (1) If the Central Government is of opinion that any association is, or has become, an unlawful association, it may, by notification in the Official Gazette, declare such association to be unlawful.

(2) Every such notification shall specify the grounds on which it is issued and such other particulars as the Central Government may consider necessary:

Provided that nothing in this sub-section shall require the Central Government to disclose any fact which it considers to be against the public interest to disclose.

(3) No such notification shall have effect until the Tribunal has, by an order made under section 4, confirmed the declaration made therein and the order is published in the Official Gazette:

Provided that if the Central Government is of opinion that circumstances exist which render it necessary for that Government to declare an association to be unlawful with immediate effect, it may, for reasons to be stated in writing, direct that the notification shall, subject to any order that may be made under section 4, have effect from the date of its publication in the Official Gazette.

(4) Every such notification shall, in addition to its publication in the Official Gazette, be published in not less than one daily newspaper having circulation in the State in which the principal office, if any, of the association affected is situated, and shall also be served on such association in such manner as the Central Government may think fit and all or any of the following modes may be followed in effecting such service, namely:—

(a) by affixing a copy of the notification to some conspicuous part of the office, if any, of the association; or

(b) by serving a copy of the notification, where possible, on the principal office-bearers, if any, of the association; or

(c) by proclaiming by beat of drum or by means of loudspeakers, the contents of the notification in the area in which the activities of the association are ordinarily carried on; or

(d) in such other manner as may be prescribed.

4. Reference to Tribunal. — (1) Where any association has been declared unlawful by a notification issued under sub-section (1) of section 3, the Central Government shall, within thirty days from the date of the publication of the notification under the said sub-section, refer the notification to the Tribunal for the purpose of adjudicating whether or not there is sufficient cause for declaring the association unlawful.

(2) On receipt of a reference under sub-section (1), the Tribunal shall call upon the association effected by notice in writing to show cause, within thirty days from the date of the service of such notice, why the association should not be declared unlawful.

(3) After considering the cause, if any, shown by the association or the office-bearers or members thereof, the Tribunal shall hold an inquiry in the manner specified in section 9 and after calling for such further information as it may consider necessary from the Central Government or from any office-bearer or member of the association, it shall decide whether or not there is sufficient cause for declaring the association to be unlawful and make, as expeditiously as possible and in any case within a period of six months from the date of the issue of the notification under sub-section (1) of section 3, such order as it may deem fit either confirming the declaration made in the notification or cancelling the same.

(4) The order of the Tribunal made under sub-section (3) shall be published in the Official Gazette.

5. Tribunal. — (1) The Central Government may, by notification in the Official Gazette, constitute, as and when necessary, a tribunal to be known as the «Unlawful Activities (Prevention) Tribunal» consisting of one person, to be appointed by the Central Government:

Provided that no person shall be so appointed unless he is a Judge of a High Court.

(2) If, for any reason, a vacancy (other than a temporary absence) occurs in the office of the presiding officer of the Tribunal, then, the Central Government shall appoint another person in accordance with the provisions of this section to fill the vacancy and the proceedings may be continued before the Tribunal from the stage at which the vacancy is filled.

(3) The Central Government shall make available to the Tribunal such staff as may be necessary for the discharge of its functions under this Act.

(4) All expenses incurred in connection with the Tribunal shall be defrayed out of the Consolidated Fund of India.

(5) Subject to the provisions of section 9, the Tribunal shall have power to regulate its own procedure in all matters arising out of the discharge of its functions including the place or places at which it will hold its sittings.

(6) The Tribunal shall, for the purpose ⁵ of 1908 of making an inquiry under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:—

(a) the summoning and enforcing the attendance of any witness and examining him on oath;

(b) the discovery and production of any document or other material object producible as evidence;

(c) the reception of evidence on affidavits;

(d) the requisitioning of any public record from any court or office;

(e) the issuing of any commission for the examination of witnesses.

(7) Any proceeding before the Tribunal shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the ⁴⁵ of 1860 Tribunal shall be deemed to be a civil court for the purposes of section 195 and Chapter XXXV of the Code of Criminal ⁵ of 1898 Procedure, 1898.

6. Period of operation and cancellation of notification. — (1) Subject to the provisions of sub-section (2), a notification issued under section 3 shall, if the declaration made therein is confirmed by the Tribunal by an order made under section 4, remain in force for a period of two years from the date on which the notification becomes effective.

(2) Notwithstanding anything contained in sub-section (1), the Central Government may, either on its own motion or on the application of any person aggrieved, at any time, cancel the notification issued under section 3, whether or not the declaration made therein has been confirmed by the Tribunal.

7. Power to prohibit the use of funds of an unlawful association. — (1) Where an association has been declared unlawful by a notification issued under section 3 which has become effective under sub-section (3) of that section and the Central Government is satisfied, after such inquiry as it may think fit, that any person has custody of any moneys, securities or credits which are being used or are intended to be used for the purpose of the unlawful association, the Central Government may, by order in writing, prohibit such person from paying, delivering, transferring or otherwise dealing in any manner whatsoever with such moneys, securities or credits or with any other moneys, securities or credits which may come into his custody after the making of the order, save in accordance with the written orders of the Central Government and a copy of such order shall be served upon the person so prohibited in the manner specified in sub-section (3).

(2) The Central Government may endorse a copy of the prohibitory order made under sub-section (1) for investigation to any gazetted officer of the Government it may select, and such copy shall be a warrant whereunder such officer may enter in or upon any premises of the person to whom the order is directed, examine the books of such person, search for moneys, securities or credits, and make inquiries from such person or any officer, agent or servant of such person, touching the origin of any dealings in any moneys, securities or credits which the investigating officer may suspect are being used or are intended to be used for the purpose of the unlawful association.

(3) A copy of an order made under this section shall be served in the manner provided in the Code of Criminal Procedure, 1898, for the service of a summons, or, where the person to be served is a corporation, company, bank or other association, it shall be served on any secretary, director or other officer or person concerned with the management thereof, or by leaving it or sending it by post addressed to the corporation, company, bank or other association at its registered office, or where there is no registered office, at the place where it carries on business.

(4) Any person aggrieved by a prohibitory order made under sub-section (1) may, within fifteen days from the date of the service of such order, make an application to the Court of the District Judge within the local limits of whose jurisdiction such person voluntarily resides or carries on business or personally works for gain, to establish that the moneys, securities or credits in respect of which the prohibitory order has been made are not being used or are not intended to be used for the purpose of the unlawful association and the Court of the District Judge shall decide the question.

(5) Except so far as is necessary for the purposes of any proceedings under this section, no information obtained in the course of any investigation made under sub-section (2) shall be divulged by any gazetted officer of the Government, without the consent of the Central Government.

(6) In this section, «security» includes a document whereby any person acknowledges that he is under a legal liability to pay money, or whereunder

any person obtains a legal right to the payment of money.

8. Power to notify places used for the purpose of an unlawful association. — (1) Where an association has been declared unlawful by a notification issued under section 3 which has become effective under sub-section (3) of that section, the Central Government may, by notification in the Official Gazette, notify any place which in its opinion is used for the purpose of such unlawful association.

Explanation. — For the purposes of this sub-section, «place» includes a house or building, or part thereof, or a tent or vessel.

(2) On the issue of a notification under sub-section (1), the District Magistrate within the local limits of whose jurisdiction such notified place is situate or any officer authorised by him in writing in this behalf shall make a list of all movable properties (other than wearing-apparel, cooking vessels, beds and beddings, tools of artisans, implements of husbandry, cattle, grain and foodstuffs and such other articles as he considers to be of a trivial nature) found in the notified place in the presence of two respectable witnesses.

(3) If, in the opinion of the District Magistrate, any articles specified in the list are or may be used for the purpose of the unlawful association, he may make an order prohibiting any person from using the articles save in accordance with the written orders of the District Magistrate.

(4) The District Magistrate may thereupon make an order that no person who at the date of the notification was not a resident in the notified place shall, without the permission of the District Magistrate, enter, or be on or in, the notified place:

Provided that nothing in this sub-section shall apply to any near relative of any person who was a resident in the notified place at the date of the notification.

(5) Where in pursuance of sub-section (4), any person is granted permission to enter, or to be on or in, the notified place, that person shall, while acting under such permission, comply with such orders for regulating his conduct as may be given by the District Magistrate.

(6) Any police officer, not below the rank of a sub-inspector, or any other person authorised in this behalf by the Central Government may search any person entering, or seeking to enter, or being on or in, the notified place and may detain any such person for the purpose of searching him:

Provided that no female shall be searched in pursuance of this sub-section except by a female.

(7) If any person is in the notified place in contravention of an order made under sub-section (4), then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by any officer or by any other person authorised in this behalf by the Central Government.

(8) Any person aggrieved by a notification issued in respect of a place under sub-section (1) or by an order made under sub-section (3) or sub-section (4) may, within thirty days from the date of the notifi-

cation or order, as the case may be, make an application to the Court of the District Judge within the local limits of whose jurisdiction such notified place is situate—

(a) for declaration that the place has not been used for the purpose of the unlawful association; or

(b) for setting aside the order made under sub-section (3) or sub-section (4),

and on receipt of the application the Court of the District Judge shall, after giving the parties an opportunity of being heard, decide the question.

9. Procedure to be followed in the disposal of applications under this Act.— Subject to any rules that may be made under this Act, the procedure to be followed by the Tribunal in holding any inquiry under sub-section (3) of section 4 or by a Court of the District Judge in disposing of any application under sub-section (4) of section 7 or sub-section (8) of section 8 shall, so far as may be, be the procedure laid down in the Code of Civil Procedure, 1908, for the investigation of claims and the decision of the Tribunal or the Court of the District Judge, as the case may be, shall be final. 5 of 1908

CHAPTER III

Offences and penalties

10. Penalty for being members of an unlawful association.— Whoever is and continues to be a member of an association declared unlawful by a notification issued under section 3 which has become effective under sub-section (3) of that section, or takes part in meetings of any such unlawful association, or contributes to, or receives or solicits any contribution for the purpose of, any such unlawful association, or in any way assists the operations of any such unlawful association, shall be punishable with imprisonment for a term which may extend to two years, and shall also be liable to fine.

11. Penalty for dealing with funds of an unlawful association.— If any person on whom a prohibitory order has been served under sub-section (1) of section 7 in respect of any moneys, securities or credits pays, delivers, transfers or otherwise deals in any manner whatsoever with the same in contravention of the prohibitory order, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both, and notwithstanding anything contained in the Code of Criminal Procedure, 1898, the court trying such contravention may also impose on the person convicted an additional fine to recover from him the amount of the moneys or credits or the market value of the securities in respect of which the prohibitory order has been contravened or such part thereof as the court may deem fit. 5 of 1898

12. Penalty for contravention of an order made in respect of a notified place.— (1) Whoever uses any article in contravention of a prohibitory order

in respect thereof made under sub-section (3) of section 8 shall be punishable with imprisonment for a term which may extend to one year, and shall also be liable to fine.

(2) Whoever knowingly and wilfully is in, or effects or attempts to effect entry into, a notified place in contravention of an order made under sub-section (4) of section 8 shall be punishable with imprisonment for a term which may extend to one year, and shall also be liable to fine.

13. Punishment for unlawful activities.— (1) Whoever—

(a) takes part in or commits, or

(b) advocates, abets, advises or incites the commission of, any unlawful activity, shall be punishable with imprisonment for a term which may extend to seven years, and shall also be liable to fine.

(2) Whoever, in any way, assists any unlawful activity of any association, declared unlawful under section 3, after the notification by which it has been so declared has become effective under sub-section (3) of that section, shall be punishable with imprisonment for a term which may extend to five years, or with fine, or with both.

(3) Nothing in this section shall apply to any treaty, agreement or convention entered into between the Government of India and the Government of any other country or to any negotiations therefor carried on by any person authorised in this behalf by the Government of India.

14. Offences to be cognizable.— Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under this Act shall be cognizable. 5 of 1898

CHAPTER IV

Miscellaneous

15. Continuance of association.— An association shall not be deemed to have ceased to exist by reason only of any formal act of its dissolution or change of name but shall be deemed to continue so long as any actual combination for the purposes of such association continues between any members thereof.

16. Bar of jurisdiction.— Save as otherwise expressly provided in this Act, no proceeding taken under this Act by the Central Government or the District Magistrate or any officer authorised in this behalf by the Central Government or the District Magistrate shall be called in question in any court in any suit or application or by way of appeal or revision, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

17. Prosecution for offences under this Act.— No court shall take cognizance of any offence punishable under this Act except with the previous sanction of the Central Government or any officer authorised by the Central Government in this behalf.

18. Protection of action taken in good faith.— (1) No suit or other legal proceeding shall lie against the Government in respect of any loss or damage

caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rules or orders made thereunder.

(2) No suit, prosecution or other legal proceeding shall lie against the District Magistrate or any officer authorised in this behalf by the* Government or the District Magistrate in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any rules or orders made thereunder.

19. Power to delegate.—The Central Government may, by notification in the Official Gazette, direct that all or any of the powers which may be exercised by it under section 7, or section 8, or both, shall, in such circumstances and under such conditions, if any, as may be specified in the notification, be exercised also by any State Government and the State Government may, with the previous approval of the Central Government, by order in writing direct that any power which has been directed to be exercised by it shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised by any person subordinate to the State Government as may be specified therein.

20. Effect of Act and rules, etc., inconsistent with other enactments.—The provisions of this Act or any rule or order made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

21. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the service of notices or orders issued or made under this Act and the manner in which such notices or orders may be served, where the person to be served is a corporation, company, bank or other association;

(b) the procedure to be followed by the Tribunal or a District Judge in holding any inquiry or disposing of any application under this Act;

(c) any other matter which has to be, or may be, prescribed.

(3) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

The Essential Commodities (Second Amendment) Act, 1967

(Act No. 36 of 1967)

AN

ACT

further to amend the Essential Commodities Act, 1955, and to continue the Essential Commodities (Amendment) Act, 1964, for a further period.

Be it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Essential Commodities (Second Amendment) Act, 1967.

2. Amendment of section 2.—In section 2 of the Essential Commodities Act, 1955 (hereinafter referred to as the principal Act),—

(a) after clause (c), the following clause shall be inserted, namely:—

‘(cc) “order” includes a direction issued thereunder;’;

(b) after clause (d), the following clause shall be inserted, namely:—

‘(e) “sugar” means—

(i) any form of sugar containing more than ninety per cent. of sucrose, including sugar candy;

(ii) khandsari sugar or bura sugar or crushed sugar or any sugar in crystalline or powdered form; or

(iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein.’

3. Amendment of section 3.—In section 3 of the principal Act,—

(a) in sub-section (1), after the words “at fair prices”, the words “or for securing any essential commodity for the defence of India or the efficient conduct of military operations” shall be inserted;

(b) in sub-section (2), in clause (j), the following shall be inserted at the end, namely:—

“and of any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under this Act and the return of such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person in the manner specified in the order have been taken.”;

(c) after sub-section (3B), the following sub-section shall be inserted, namely:—

‘(3C) Where any producer is required by an order made with reference to clause (f) of sub-section (2) to sell any kind of sugar (whether to the Central Government or a State Government or to an officer or agent of such Government or to any other person

or class of persons) and either no notification in respect of such sugar has been issued under sub-section (3A) or any such notification, having been issued, has ceased to remain in force by efflux of time, then, notwithstanding anything contained in sub-section (3), there shall be paid to that producer an amount therefor which shall be calculated with reference to such price of sugar as the Central Government may, by order, determine, having regard to —

(a) the minimum price, if any, fixed for sugarcane by the Central Government under this section;

(b) the manufacturing cost of sugar;

(c) the duty or tax, if any, paid or payable thereon; and

(d) the securing of a reasonable return on the capital employed in the business of manufacturing sugar,

and different prices may be determined, from time to time, for different areas or for different factories or for different kinds of sugar.

Explanation. — For the purposes of this sub-section, "producer" means a person carrying on the business of manufacturing sugar.

4. Amendment of section 6A. — In section 6A of the principal Act, —

(a) for the words "foodgrains, edible oilseeds or edible oils are seized", in both the places where they occur, the words "essential commodity is seized" shall be substituted;

(b) for the words "they may", the words "it may" shall be substituted;

(c) for the words "may order confiscation of the foodgrains, edible oilseeds or edible oils:", the words "may order confiscation of the essential commodity so seized:" shall be substituted.

5. Amendment of section 6B. — In section 6B of the principal Act, —

(a) for the words "any foodgrains, edible oilseeds or edible oils", the words "any essential commodity" shall be substituted;

(b) for the word "articles", in both the places where it occurs, the words "essential commodity" shall be substituted;

(c) for the words "they are seized", the words "it is seized" shall be substituted.

6. Amendment of section 6C. — In section 6C of the principal Act, in sub-section (2), —

(a) for the words "return the foodgrains or edible oilseeds or edible oils seized", the words "return the essential commodity seized" shall be substituted;

(b) for the words "as if the foodgrains, edible oilseeds or edible oils, as the case may be," the words "as if the essential commodity" shall be substituted;

(c) for the word "articles", the words "the essential commodity" shall be substituted;

(d) for the words, brackets, figures and letter "and such price shall be determined in accordance with the provisions of sub-section (3B) of section 3", the following shall be substituted, namely: —

"and such price shall be determined —

(i) in the case of foodgrains, edible oilseeds or edible oils, in accordance with the provisions of sub-section (3B) of section 3;

(ii) in the case of sugar, in accordance with the provisions of sub-section (3C) of section 3; and

(iii) in the case of any other essential commodity, in accordance with the provisions of sub-section (3) of section 3."

7. Amendment of section 7. — In section 7 of the principal Act, —

(a) in sub-section (1) —

(i) for the words and figure "If any person contravenes any order made under section 3", the words and figure "If any person contravenes, whether knowingly, intentionally or otherwise, any order made under section 3" shall be substituted;

(ii) in sub-clause (ii) of clause (a), for the words "three years", the words "five years" shall be substituted;

(iii) for the proviso to clause (a), the following proviso shall be substituted, namely: —

"Provided that in the case of a first offence, if the Court is of opinion that a sentence of fine only will meet the ends of justice, it may, for reasons to be recorded, refrain from imposing a sentence of imprisonment and in the case of a second or subsequent offence, the Court shall impose a sentence of imprisonment and such imprisonment shall not be less than one month; and";

(iv) for clause (b) (excluding the proviso), the following shall be substituted, namely: —

"(b) any property in respect of which the order has been contravened or such part thereof as to the Court may seem fit including any packages, coverings or receptacles in which the property is found and any animal, vehicle, vessel or other conveyance used in carrying the property, shall be forfeited to the Government:";

(b) in sub-section (2), for the words "three years", the words "five years" shall be substituted.

(c) after sub-section (2), the following sub-section shall be inserted, namely —

"(3) Where a person having been convicted of an offence under sub-section (1) is again convicted of an offence under that sub-section for contravention of an order in respect of an essential commodity, the Court by which

such person is convicted shall, in addition to any penalty which may be imposed on him under that sub-section, by order, direct that that person shall not carry on any business in that essential commodity for such period, not being less than six months, as may be specified by the Court in the order".

8. **Amendment of Section 9.** — In section 9 of the principal Act, for the words "three years", the words "five years" shall be substituted.

9. **Insertion of new section 10A.** — After section 10 of the principal Act, the following section shall be inserted, namely:—

"10A. **Offences to be cognizable and bailable.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence punishable under this Act shall be cognizable and bailable".

10. **Continuance of Act 47 of 1964.** — The duration of the Essential Commodities (Amendment) Act, 1964, is further extended for the period up to and including the 31st day of December, 1969, and accordingly that Act shall have effect subject to the modification that in section 1 of that Act, in sub-section (3), for the words, figures and letters "the 31st day of December, 1967", the words, figures and letters "the 31st day of December, 1969" shall be substituted.

11. **Repeal and saving.** — (1) The Essential Commodities (Amendment) Ordinance, 1967, and the Essential Commodities (Second Amendment) Ordinance, 1967, are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinances shall be deemed to have been done or taken under the principal Act as amended by this Act as if—

(a) clause (b) of section 2 and clause (c) of section 3 of this Act had come into force on the 21st day of October, 1967; and

(b) the rest of this Act [except clause (a) of section 3 and this section] had come into force on the 16th day of September, 1967:

Provided that during the period commencing on the 16th day of September, 1967, and ending with the 20th day of October, 1967, clause (d) of section 6 of this Act shall have effect subject to the modification that the brackets, figures and letter "(ii) in the case of sugar, in accordance with the provisions of sub-section (3C) of section 3," had been omitted therefrom.

ORDER

LD/EST/14-160/67-68

In exercise of the powers conferred by section 17 of the Goa, Daman and Diu Administrative Tribunal Act 1965 and in partial modification of the Government Order No. LD/251/65 dated 18-6-1965, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following amendment to the Administra-

tive Tribunal (Removal of Difficulties) Order namely:—

- 1) This order may be called the Administrative Tribunal (Removal of Difficulties) (Amendment) Order 1968.
- 2) It shall come into force at once.
- 3) After clause 3 of the Administrative Tribunal (Removal of Difficulties) Order 1965 the following proviso shall be inserted:

"Provided that nothing in this clause shall apply in respect of the audit of institutions receiving grants from Government directly or indirectly".

By order and in the name of the Administrator of Goa, Daman and Diu.

R. L. Segel, Law Secretary.

Panaji, 29th January, 1968.

Notification

LD/N/14/66/67-68

In exercise of the powers conferred by Section 17 of the Goa, Daman and Diu Administrative Tribunal Act, 1965, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules namely:

1. **Short title.** — (1) These rules may be called the Goa, Daman and Diu Administrative Tribunal Rules, 1968.

(2) They shall come into force on 1st February 1968.

2. **Rates of Court and Other Fees.** — In all appeals and other proceedings instituted before the Tribunal, the rates of court fees copying fees and processes and other fees shall be as indicated in the schedule appended hereto.

3. **Fees for Audit of Accounts.** — The fee chargeable by the Tribunal from an institution whose accounts are to be audited, shall be one percent of the total income of the institution for the year in question, provided however that the total fees shall, in any case, not exceed Rs. 200/-.

4. **Payment of Fees of Experts.** — The fees and other allowances payable to experts appointed in connection with the proceedings before the Tribunal, shall be paid by the party appointing the expert. The fees of a neutral expert appointed by the Tribunal or at its instance, shall be borne equally by both the parties, subject to the orders, if any, relating to costs, passed by the Tribunal.

5. **Pending proceedings.** — These rules shall not apply to proceedings instituted before their commencement, which shall be regulated by the rules in force prior to their commencement.

6. **Repeal.** — As from the commencement of these rules, the corresponding rules of the R. A. U., Provincial Legislative Diploma no. 252 dated 25-2-1927 and Rule 3 of the Goa, Daman and Diu Administrative Tribunal Rules 1966, shall stand repealed.

SCHEDULE

Part I

Court Fees

| of Proceedings | Rate of Fees | Exemptions |
|--|--|--|
| petition of or memorandum of appeal. | Rs. 50/- | Proceedings instituted by the State, the Government Pleader, the Procurador de Republica or his Delegate or the Head of the Taluka Revenue Offices, Administradores of Concelhos, Comunidades, or religious endowments in their official capacity. |
| the recording evidence. | Rs. 25/- together with expenses of a Commissioner if appointed. | — do — |

Note: The exemption does not apply to fees of the Commissioner which would have to be paid in the first instance by the party at whose instance it is issued.

| | | |
|--|----------|--------|
| enquiry on sur- | Rs. 25/- | — Do — |
| cal enquiry tion or sur- when a se- enquiry, in- on or survey dered in res- of the same ect matter. | Rs. 50/- | — Do — |
| on for re- | Rs. 25/- | — Do — |
| r petitions lications to ibunal. | 50 paise | — Do — |

Fees in respect of all the above items shall be payable by means of Court Fees Stamps.

Part II

Copying Fees

| | |
|--------------------------|---------------------------------------|
| ertified copy. | Fifty paise per page or part thereof. |
| ummary of the pro- s. | Re. 1/- per page or part thereof. |

Explanation: For the purposes of this rule, a page shall consist of 25 lines of 10 words each amounting to about 250 words.

Explanation 2:—For a typed copy, double the fees shall be charged.

Part III

Process Fees

Fees for the issue of notices and processes. The actual postal charges.
Fees for the summoning of record. The actual postal charges.

Part IV

Miscellaneous

When at the instance of a party, the Tribunal or any of its staff has to proceed outside headquarter for any purpose other than for the service of summons, the actual travelling and other expenses shall be deposited by the party.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

R. L. Segel, Law Secretary.

Panaji, 30th January, 1968.

Development Department 'A'

Notification

VPT/ELN/RLS/68/314

In exercise of the powers conferred by Section 65 of the Village Panchayat Regulation 1962, the Lieutenant Governor of Goa, Daman and Diu makes the following amendment to the Goa, Daman and Diu Village Panchayat (Election Procedure) Rules 1967.

These Rules may be called the Goa, Daman and Diu Village Panchayat Election Procedure (Amendment) Rules 1968.

2. Amendment of Rule 2:

Para. In Rule 2 of the Goa, Daman and Diu Village Panchayat Election Procedure Rules 1967, sub-rule shall be deleted.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

R. L. Segel, Law Secretary and Director, Elections.

Panaji, 7th February, 1968.

18 Magha Saka 1889.

Industries and Power Department

Notification

I&L/(V)/12/66/264

The amended list of Priorities indicated below, are the only Priorities applicable on all the Ferry Services with immediate effect:

- 1) Seriously ill/hurt cases requiring urgent medical attention. Doctors/Ambulances responding to urgent calls for treatment or

collection of patients are also entitled to «Priority».

- ii) Official organised parties proceeding to assist in natural calamities e. g. Fires, Earthquakes, Floods, etc.
- iii) Lieutenant Governor.
- iv) Ministers of the Popular Government, the Speaker and Deputy Speaker.
- v) Members of Legislative Assembly while proceeding to attend the Assembly Session.
- vi) Judicial Commissioner.
- vii) Chief Secretary.
- viii) Station Commander of Armed Forces.
- ix) Naval Officer-in-Charge, Goa.
- x) Transport of mails.
- xi) Airline Vehicle proceeding to or from Dabolim Airfield.
- xii) Transporting of Armed Forces/Police personnel proceeding on special tasks of an extremely urgent nature only certified as such personally by the S. S. P., Station Commander or Naval Officer-in-Charge, Goa. If in an emergency said requisition cannot be produced, a confirmation within 24 hours of these authorities will have to be sent failing which priority will not be allowed in future.

- xiii) The District Magistrate and Sub District Magistrates, responding to situations involving breaches or likelihood of breaches of Law and order, demanding their immediate presence on the spot.

(Note: The Priority is strictly for the individuals mentioned above and not for their vehicles if they are travelling without these).

2. Civilian personnel belonging to various Government Departments proceeding on special tasks of an extremely urgent nature shall between the hours of 7.00 a. m. and 7.00 p. m. obtain prior sanction from the Office of the Captain of Ports at Panaji. Between the hours of 7.00 p. m. and 7.00 a. m. priority shall be obtained at the ferry points for very urgent only but in such cases the Heads of Departments shall within 24 hours certify that due to very urgent work priority was utilised. In public interest the Heads of Department are requested to use discretion when desiring «Priorities».

3. This issues in supersession of Notification No. I&L/(V)/12/65/1439 dated 23rd May, 1965, Addendum and Corrigendum No. I&L/(V)/2008 dated 18th July 1966.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary, Industrial Labour Department.

Panaji, 31st January, 1968.